

AGENDA

MEETING OF THE MAYOR AND ALDERMEN

AUGUST 9, 2012

1. Approval of the summary/final minutes of the City Council work session/City Manager's briefing of July 26, 2012.
2. Approval of the minutes of the City Council meeting of July 26, 2012.
3. An appearance by organizers of the N.S. Savannah 50th Anniversary Celebration to invite members of the Savannah City Council to the August 22, 2012 Marker Dedication Ceremony marking the 50th anniversary of the visit of the Nuclear Ship Savannah to the City of Savannah and to receive a proclamation designating that date as "N. S. Savannah Recognition Day."

ALCOHOLIC BEVERAGE LICENSE HEARINGS

4. Thomas E. Dennard, III for Savannah Bee Company, Inc. t/a Savannah Bee Company, requesting a wine (package with tasting) license at 104 W. Broughton Street, which is a new location between Whitaker and Barnard Streets in District 1. (Continued from July 26, 2012.) Recommend continuing to August 23, 2012 as requested by the applicant in the attached letter.

PETITIONS

5. Kevin Rose (Architect for Lominack, Kolman & Smith) for Brian Huskey of Gaslight Group Real Estate Holdings (Property Owner) – Petition 120147, requesting the City to allow an encroachment for the property located at 325 E. Bay Street, also known as B. Matthew's Eatery. The petitioner wants permission to encroach onto the Habersham Street right-of-way in order to construct a new exterior staircase, a second story covered porch, and support columns. Said property is the northern one-half (½) of lot number four (4), Warren Ward, PIN 2-0004-18-001.

The plans are to remove an existing "non-historic" balcony and stair from the Habersham Street façade and construct a replacement. The new construction will consist of an exterior staircase leading up to a second story covered porch which is supported underneath by concrete block columns. At this location the total right-of-way from building façade to curb is approximately 17'-0" of which 7'-3" (closest to the curb line) is dedicated to

greenspace. The remaining sidewalk located closest to the building façade is 9'-9" wide. The new staircase is shown to extend 4'-9" into the sidewalk leaving 5'-0" passable area. The covered porch is planned to extend over the sidewalk 5'-8" with a vertical clearance of 10'-0". The design is similar in nature to the building south of said property.

The request has been reviewed by Public Works and Water Resources and by Development Services with no objections found. It is noted, however, that the design of the stairwell must comply with all the latest Life Safety Codes (with GA amendment) and meet the latest ADA Standards. All City permitting and construction guidelines must be followed, meeting all federal, state and local codes. A letter stating the property owner's acceptance of all maintenance and liability has been obtained. The Historic District Board of Review has approved the plans and issued a Certificate of Appropriateness.

Recommend approval of Petition 120147 in which Kevin Rose (architect for Lominack, Kolman & Smith), on behalf of Brian Huskey of Gaslight Group Real Estate Holdings (property owner), is requesting the City allow an encroachment onto the Habersham Street right-of-way in order to construct a new exterior staircase, a second story covered porch, and support columns. Petitioner and property owner alike should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the structures must be removed at the property owner's or petitioner's expense. (A drawing is attached.) Recommend approval.

ORDINANCES

First and Second Readings

6. Uncontrolled Railroad Crossings – Addition of Traffic Control. An ordinance to provide for yield signs to be installed for all spur rail lines crossing city streets, and to provide for stop signs to be installed for all main railroad lines crossing city streets. The 2009 edition of the Manual on Uniform Traffic Control Devices mandates that some form of traffic control be installed on all uncontrolled railroad crossings. Each crossing was evaluated on the traffic volume on the main line and the frequency of train traffic at that location. (The Traffic Engineering Report was approved on July 26, 2012.) Recommend approval.

RESOLUTIONS

7. Acceptance of Easement and Release of Prior Easement at 504 E. River Street. A resolution to approve the termination and release of a utility easement across property located at 504 E. River Street to TM4, LLC, the owner of record of the property; and to authorize the City Manager to execute the "Acceptance of Easement and Release of Prior Easement" in conformance with this Resolution. The 20' utility easement contained in the Easement and Indemnity recorded in Deed Book 90E, Page 398 and shown as "20' Sewer Easement" on a plat dated March 18, 1966 and recorded in Plat Book R, Page 12 is no longer required as a result of the granting of the new easement. (Item 9 contains more information.) Recommend approval.

8. 48" I & D Waterline Relocation (WT727) – Preliminary Engineering Agreement. A resolution to authorize the execution of an agreement, relative to Project CSMSL-0008-00(690), P.I. No. 0008690, for the preliminary engineering of the City's water distribution facilities in Chatham County, Georgia. This agreement provides for the City to be reimbursed the cost of design for the 48" I & D Water Line Relocation due to the plan by the Georgia Department of Transportation (GDOT) to extend Jimmy DeLoach Parkway up to SR 307. The engineering contract amounting to \$67,500.00 was awarded by the City to Thomas and Hutton on June 14, 2012 of which \$63,500.00 will be eligible for reimbursement and \$4,000.00 will be the City's cost. Based on the preliminary engineering cost estimate provided by the City to GDOT on February 21, 2012, the amount budgeted by GDOT for these services will be capped at \$136,022.76. Recommend approval.

- 8.1. Hospital/Network Provider. A resolution to affirm the City of Savannah's partnership with the Savannah Business Group and its selection of St. Josephs/Candler as the exclusive hospital/network provider. (The resolution is attached.) Recommend approval.

MISCELLANEOUS

9. Easement Request – TM4, LLC. John Lientz, attorney for TM4, LLC, is requesting that the City accept a 20' utility easement for water and sewer lines across the east 20.09 feet of Front Wharf Lot 6 and all of Front Wharf Lot 7 to replace an existing easement for a sanitary sewer line dated May 5, 1966, and recorded in Book 90E, page 209, Office of the Clerk of Superior Court of Chatham County. In exchange, TM4 is requesting that the portion of the 1966 easement impacting the subject property be released by the City.

The subject property is a portion of PIN 2-0004-06-001 identified as 504 E. River Street. TM4 is negotiating with a prospective tenant to develop a restaurant on the property, and the northerly extension of the existing 1966 easement will create problems with the location of the foundation for the proposed building. The new easement will relocate the northerly line two (2') feet to the south to match up with the 1975 easement. The plat and easement documents have been reviewed by Water and Sewer Engineering and Planning and by the Public Works and Water Resources bureau chief.

Recommend approval of the request made by John Lientz on behalf of TM4, LLC, that the City accept the newly proposed easement and release the pre-existing 1966 utility easement. Further recommend approval of the resolution authorizing the City Manager to sign the associated documents. (An aerial photo is attached.) Recommend approval.

10. Final Plat – Bradley Point South, Phase III-B. Recommend approval of the final plat for Bradley Point South, Phase III-B, a subdivision of a portion of Parcel 1-A of the Vallambrosa Plantation, located on Concordia Drive in District 5. Recommend approval.

- 10.1. Settlement. Approve the settlement reached by Court ordered mediation for personal injury in at fault collision:

Ronald Lowe and Sandi Lowe v. The Mayor and Aldermen of the City of Savannah,
Superior Court of Chatham County,
Civil Action No.: CV11-01136-FR, and

Bridgefield Casualty Insurance Company, Inc. v. The Mayor and Aldermen of the City of Savannah (Workers Compensation carrier),
Superior Court of Chatham County,
Civil Action No.: CV11-0465-FR

Recommend approval.

- 10.2. Settlement. Approve the settlement reached by mediation for personal injury in at fault collision:

Gwendolyn D. Smith v. City of Savannah,
State Court of Chatham County,
Civil Action No.: STCV1100286

Recommend approval.

BIDS, CONTRACTS AND AGREEMENTS

11. 2013-2014 Legislative Liaison Services. Georgia State legislation significantly affects Savannah. Jim Burgess has been a very capable advocate for the City and has agreed to continue his services on a two-year cycle to coincide with the General Assembly's biennial sessions.

The services include assisting in the preparation of the City's annual legislative agenda; explaining and promoting the City's legislative agenda to State elected officials and decision makers; being in the State Capitol each day when the General Assembly is in session; monitoring bills and submitting periodic reports to the City; informing City representatives of pending legislation that will have positive or negative consequences for the City; maintaining close contact with the Chatham County Legislative Delegation, other State legislators, and City officials concerning the City's legislative interests; assisting in the drafting of legislation; and lobbying the Governor's staff, legislative leaders, and State agencies on a year-round basis.

The contract began in 1997 and has greatly improved our ability to obtain funds and have a strong voice in legislation that affects Savannah. Recommend renewing the contract in the amount of \$50,264.00 for the first year (2013) of the biennial session and \$51,771.92 for the second year (2014) of the biennial session. (Deferred from July 26, 2012. A memo is attached.) Recommend approval.

12. Savannah Gardens Planned Unit Development – (PD400) Amendment No. 4. Recommend approval of Amendment No. 4 to the Savannah Gardens Planned Unit Development (PUD) PD400 contract with Thomas & Hutton Engineering Company in the amount of \$22,600.00. The services are needed to provide design development and construction management for the proposed Savannah Gardens PUD.

The design and construction of this new community must meet the requirements for the EarthCraft Coastal Communities program administered by the Southface Energy Institute. The EarthCraft Coastal Communities program incorporates many LEED and Smart Growth principals into both horizontal and vertical design and construction. The extra work is subject to the terms and conditions of the contract executed for this project dated August 20, 2009. (A request for proposal was issued in March of 2009.) The additional services cover the following items:

- Phase 2A Plaza Modifications: Design the east plaza to accommodate a spray pad, protective bollards, expanded paver area, sculpture seating area, future commercial/multifamily buildings as well as an 80 lineal foot hardscape stair and ramp system. Scope of work includes grading, drainage spray pad water and sewer services and structural details of the stair and ramp system. (\$8,600.00)

- Phase 2B Roadway Design Modifications: Redesign the road realignment of Crescent Drive from the intersection of Pennsylvania Avenue to Edgelawn Circle to accommodate specimen trees and field conditions. Modifications also include the revised alignment of lane 4A, realignment of Mosley Street, realignment of driveway entry to multi-family parcel NF-2, single family lot configurations, sidewalks and related water, sewer and drainage infrastructure. (\$ 7,500.00)
- Pennsylvania Avenue Right-of-way Plat and Multi-use Path: Prepare a right-of-way plat to dedicate a 330 foot x 22 foot tract of land along Pennsylvania Avenue northeast of Elgin Street. Plat is proposed to encompass an existing natural gas main and existing mature trees. Task includes the design of a multi-use path around the existing mature trees along Pennsylvania Avenue. (\$2,800.00)
- Phase 2B Asbestos Survey Report: Original scope of work proposed asbestos survey work for Phase 1 and Phase 2 work to be performed concurrently followed by Phase 3. Residents were still present in Phase 2 at the time of the initial survey; therefore a complete survey could not be performed. An additional report shall be generated for units located within Phase 2B. (\$ 1,700.00)

Reimbursable expenses are in the amount of \$2,000.00.

Funds are available in the 2012 Budget, Capital Improvement Project/Other Cost/Savannah Gardens Phase I (Account No. 311-9207-52842-PD0400).
(B)Indicates local non-minority owned business. Recommend approval.

13. Health Plan Third Party Administrator - Event No. 443. Recommend approval to secure Health Plan Third Party Administrator (TPA) services from HealthSCOPE Benefits for the City of Savannah.

The City offers a self-funded health plan for eligible active employees, pre-65 retirees and eligible dependents. The plan covers approximately 2,800 employees and retirees and 5,300 total participants. The new TPA will provide claims administration for the City beginning January 1, 2013.

A search was conducted for the best partner to provide TPA service for the City's health plan. The most important requirements to be met included:

- Excellent track record on claim management and member services
- Depth of experience in large group administration, with public sector experience preferable
- Stable, flexible claim system with maximum automation
- Excellent data management capabilities

- Robust, insightful reporting
- Demonstrated flexibility and focus on client needs
- Competitive pricing
- Strong performance guarantees

Of the 15 TPAs considered, 10 either failed to pass the minimum requirements in the Request for Statement of Qualifications or declined to quote. Of the 5 proposals submitted, 2 were eliminated due to pricing during the short-listing process. Three proposals were fully evaluated to include HealthSCOPE Benefits, Primary Physician Care, and Health Plans, Inc. While all are capable of providing excellent service, HealthSCOPE Benefits (HSB) clearly rose to the top and is the recommended TPA. They are the 4th largest TPA in the nation, providing self-funded health plan administration for the last 20 years. They provide administrative services to 165 clients and 350,000 members. Their focus is on the middle market sector and public entity clients represent 12% of their client base. HSB had a 99% client retention rate in 2011, and has an outstanding record for timely and accurate claims management and member services. Of significant note is that the negotiated pricing will generate savings for the City of \$67,000.00 per year in comparison to the current contract.

The method used for this procurement was the Request for Proposal (RFP), which evaluates other criteria in addition to cost. The criteria used for evaluation was:

Criteria:	Experience/References/Resources (20 pts)	Plan Administration and Services (40 pts)	Financial Criteria (40 pts)	Proposed Annual Cost	Rate Guarantee	Total (100 pts)
Proposer:						
HealthSCOPE	19.75	39.00	39.50	\$305,871	Fees guaranteed for 3 years - increase in year 4 capped at 2.8% and 2.0% in year 5	98.25
Primary Physician Care	16.70	32.60	38.00	\$316,233	Fees guaranteed for 3 years - increase in years 4 and 5 capped at 4%	87.30
Health Plans, Inc.	14.50	29.90	37.00	\$311,056	Fees guaranteed for 3 years - increase in years 4 and 5 capped at 2.6%	81.40

B.P. HealthSCOPE Benefits ^(D)	\$	305,871.00
Primary Physician Care ^(D)	\$	316,233.00
Health Plans Inc. ^(D)	\$	311,056.00

Funds are available in the 2012 Budget, Risk Management Medical Insurance - Administrative Charges/Expenses (Account Number 621-9805-52239). A Pre-Proposal Conference was conducted. ^(D)Indicates non-local non-minority owned business. Recommend approval.

14. Old Savannah Pharmacy (PD-601) – Amendment No. 2 – Event No. 140. Recommend approval of Amendment No. 2 from Wubbena Architects and Designers in the amount of \$10,200.00. This amendment is for additional services to design a new stairwell, decorative block, storefront system, roof deck and ADA Restrooms. These areas of the existing building were in worse shape than originally anticipated. The modifications are required to provide a structurally sound facility for the City. All areas will meet the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The cumulative total of the contract requires Council approval of this amendment. The new contract price will now be \$60,200.00.

Recommend approval of Amendment No. 2 to Wubbena Architect and Designers in the amount of \$10,200.00. Funds are available in the 2012 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/MLK Corridor/Savannah Pharmacy (Account No. 311-9207-52842-PD601). Recommend approval.

15. Authorization for City Manager to Sign and Administer through Sub-Grant Recipients PY2012 Adult and Dislocated Worker Grant Funds. The City of Savannah has received "Statement of Grant Award" from the Governor's Office of Workforce Development for Workforce Investment Act (WIA) Adult Programs (\$101,548) and Dislocated Worker Programs (\$204,875). These grant awards are for Program Year 2012 (July 1, 2012 – June 30, 2013). Funds will support "One-Stop" Career Centers that provide job training, preparation and placement services for adults and dislocated workers.

Pursuant to the Coastal Workforce Services (CWS) Consortium Agreement, recommend authorizing the City Manager to receive grant funding and enter into Grant Administration Agreements with sub-grant recipients in accordance with City of Savannah's procurement policies and procedures. The grant awards totaling \$306,423 provide funding for adult and dislocated workers programs within Region 12 (Bryan, Bulloch, Camden, Chatham, Effingham, Glynn, Liberty, Long and McIntosh counties). Recommend approval.

16. Water and Sewer Agreement – Waverly Station at the Highlands I. Paradigm Savannah I Apartments, LLC has requested a water and sewer agreement for Waverly Station at the Highlands I. The water and sewer systems have adequate capacity to serve this 106-equivalent residential unit development located off Highlands Boulevard. The agreement is consistent with policy directives given by the Mayor and Aldermen and has been reviewed and approved by the City Attorney for legal format. Recommend approval.

17. Water and Sewer Agreement – Waverly Station at the Highlands II. Paradigm Savannah II Apartments, LLC has requested a water and sewer agreement for Waverly Station at the Highlands II. The water and sewer systems have adequate capacity to serve this 106-equivalent residential unit development located off Highlands Boulevard. The agreement is consistent with policy directives given by the Mayor and Aldermen and has been reviewed and approved by the City Attorney for legal format. Recommend approval.



Thomas E. Dennard President

August 1, 2012

To:

Office of the City Manager
The City of Savannah

As owner of Savannah Bee Company, I would like to request that the Alcohol Beverage License Hearing for our location of 104 West Broughton Street be continued to Aug. 23, 2012.

This will allow time for member of City Council to learn more about our plans for sampling of honey wine in a designated area of our store to provide for appropriately regulated activity compatible with The State of Georgia Revenue Department – Alcohol and Tobacco Regulation 560-2-2-.02 enclosed.

We are grateful for the opportunity to be able to provide further details and look forward to meeting with members of Council and staff of the City of Savannah.

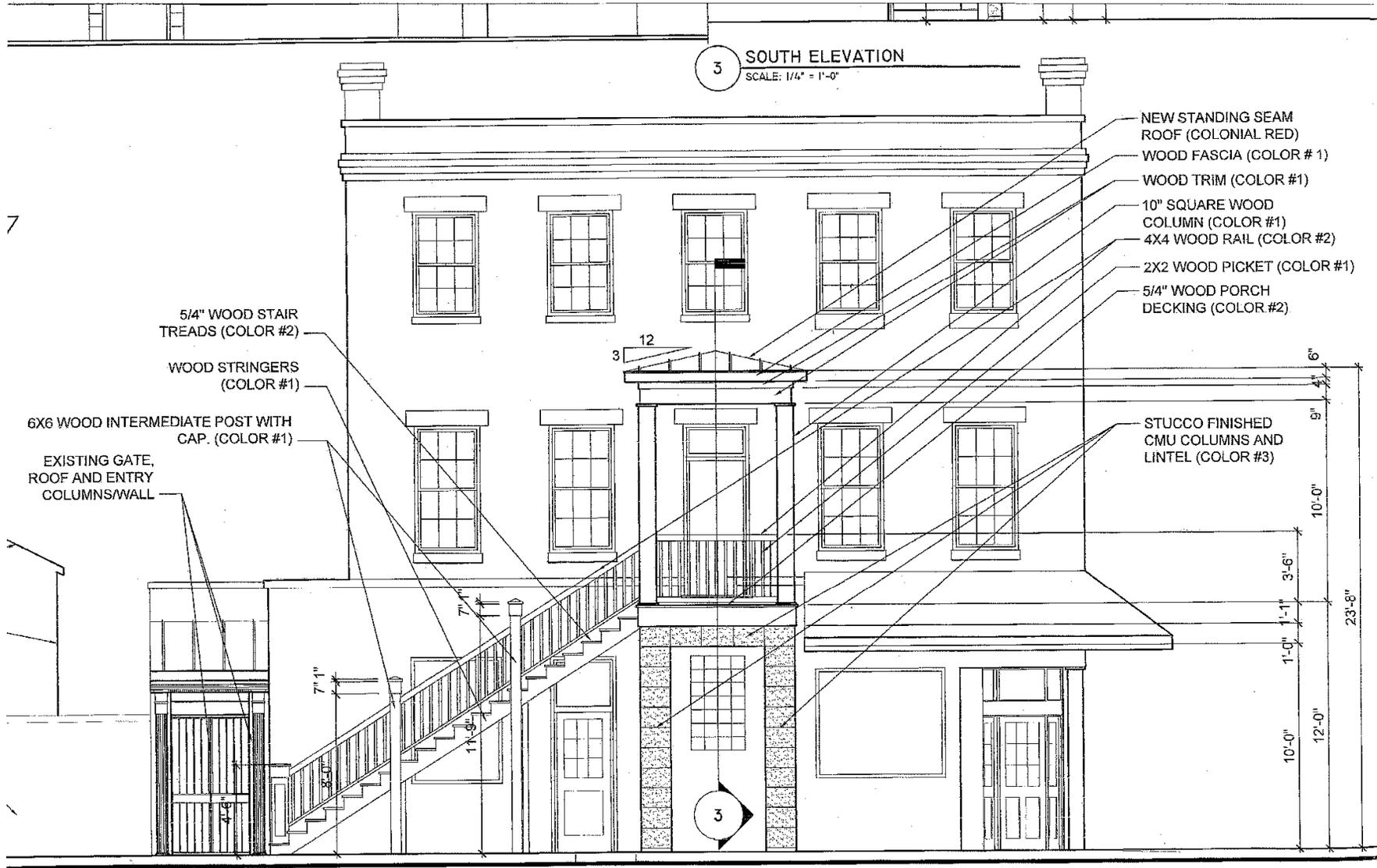
Sincerely,

A handwritten signature in black ink, appearing to read "T. E. Dennard", written over a horizontal line.

Thomas E. Dennard

President

Encl.



WHEREAS, The City of Savannah has been a member of the Savannah Business Group (SBG) since 1984

WHEREAS, The Savannah Business Group (SBG) began the process of selecting a medical provider in August of 2011

WHEREAS, The SBG evaluated proposals from both St. Josephs/Candler and Memorial Health

WHEREAS, The SBG Board of Trustees selected the proposal from St. Josephs/Candler based on cost of care and the ability to meet the needs of employers

WHEREAS, In the evaluation of both proposals the overall costs proposed by Memorial Health were 11.5 percent higher than the overall costs proposed by St. Joseph's/Candler

WHEREAS, patients are able to access Memorial Health for specialized services that only they provide and SBG has arranged that City of Savannah members have access to these services at no additional cost to the plan or the member.

Be it now affirmed the following:

The City of Savannah affirms its partnership with the Savannah Business Group and its selection of St. Josephs/Candler as the exclusive hospital/network provider.

504 E. River Street: Joe's Crab Shack



Legend

— SAGIS.SAGIS.SAV_SEWER_GRAVITY_MAIN

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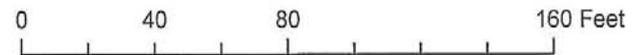
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MEMORANDUM

TO: Mayor and Aldermen
FROM: Rochelle Small-Toney, City Manager 
SUBJECT: Legislative Liaison Services Contract
DATE: August 3, 2012

During the last Council meeting the agenda item for Legislative Liaison Services was continued two weeks with a request for more information.

In late 1996 the City issued a RFP for a consultant to provide representation and liaison with the Georgia General Assembly, Chatham Legislative Delegation and the State's executive departments and agencies. A review of the RFP shows that it provided for an annual contract renewable for up to three years subject to annual approval.

Six proposals were received and evaluated as described in the attached "Selection of Legislative Liaison" memo from the City Manager to the Mayor and Aldermen dated January 23, 1997. The memo identified the best proposer as Jim Burgess and recommended awarding the contract to him based on:

- The most experience as a legislative lobbyist.
- Most knowledge of issues facing municipal government.
- Knowledge or experience in working with the governor and legislative leadership.
- Practicing attorney with detailed knowledge of Georgia state and local governmental law.
- Reasonable fee proposal in comparison to other RFPs.

Council awarded the contract to Jim Burgess on January 30, 1997. On October 21, 1999, Council approved the City Manager's recommendation to renew the contract for 2000. The renewals continued annually until April 22, 2010, when Council approved renewing the contract for two years to coincide with the biennial terms of the General Assembly.

Mr. Burgess' credentials and lobbying accomplishments for the City are impressive. He continues to provide excellent service and has broadened his knowledge and experience. Mr. Burgess served as an elected mayor from 1998 to 2012 and is currently working as an of counsel attorney with a law firm specializing in municipal and county representation.

I recommend renewing the contract with Jim Burgess for 2013-2014.

Attachments

MEMORANDUM

To: Mayor & Aldermen
From: Michael B. Brown, City Manager *mbrown*
Subject: Selection of Legislative Liaison
Date: January 23, 1997

This report provides more information about the selection of the legislative liaison. The report first covers the selection process, including the Request For Proposals, the qualification requirements and the process of scoring proposals. The second portion of the report reviews and summarizes the background and submissions of the proposers along with their requested fees.

SELECTION PROCESS

The issuance, receipt, and evaluation of proposals was conducted under the City's Purchasing Ordinance. A copy of that section is enclosed in your report. An RFP process is generally used when assessing professional services. Under these criteria, award is made both on qualification and on price, and not simply on the lowest price.

A Request For Proposals was issued on December 17, 1996. A copy of the proposal is included in this report.

On December 31, 1996 we received a total of six proposals as follows:

1. James Burgess
2. ~~Capitol Consulting~~ (Amy Hughes and Lee Hughes)
3. Robert McAlister
4. Elaine C. Nachman and J. L. Morgan, III
5. SBL Management & Consultant, LTD. (Roy Jackson)
6. The Stevens Group (Joyce Stevens and John Stevens)

Each of the proposals was evaluated according to these specific criteria:

1. Experience as a lobbyist in the Georgia General Assembly.
2. Knowledge of State and Federal laws affecting municipalities.
3. Ability to be present every day during the sessions at the Capitol and as needed during the rest of year.
4. Experience in working with the Chatham Legislative delegation.
5. Experience in working with the Governor, Executive Branch officials, legislative leadership, and legislators in general.
6. Experience in dealing with other key interest groups within the State.
7. Resume of general professional experience and fee.

SCORING AND EVALUATION OF PROPOSALS

Each of the candidates was scored according to the criteria listed above. The table below provides a summary of their scoring and summarizes the highlights of their proposal.

<u>Firm Name/Individual Name</u>	<u>Address</u>	<u>Price</u>
James Burgess	Social Circle, GA	\$24,000 (plus expenses)

Highlights: Served for 33 years as a lobbyist in the Georgia General Assembly; legislative lobbyist for the City of Atlanta; legislative liaison for Fulton County; Executive Director of the Georgia Municipal Association; practicing attorney in the State of Georgia.

Capitol Consulting Amy Hughes & Lee Hughes	Savannah, GA	\$43,200 (including expenses)
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Highlights: Amy Hughes-Currently Executive Director of the Savannah Area Manufacturers Council, she would continue in this role; has worked at the State Capitol for the Lieutenant Governor; handles legislative responsibilities for the Chamber's Legislative Action Council; has worked in the drafting of a law to classify computer software as intangible personal property for Ad Valorem taxation purposes valuing the software only on the worth of the actual diskette; worked for an Atlanta-based law firm as a legislative analyst. Lee Hughes would serve under an advisory capacity.

Robert McAlister	Savannah, Georgia	\$30,000 (including expenses)
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Highlights: 20 years as City of Savannah Budget Director and Assistant in the Mayor's Office.

Elaine C. Nachman & J. L. Morgan, III	Atlanta, Georgia	\$20,000 (including expenses with the exception of travel expenses outside Atlanta)
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Highlights: Elaine Nachman-20 years of experience in government affairs; principle lobbyist for Emory University Health Sciences working on a number of issues affecting health care. J. Morgan-15 years of governmental experience; Chief of Staff; member of Council; affiliated with a government relations firm with offices in Atlanta and Washington; has worked on issues such as reapportionment telecommunications act and car rental tax.

SBL Management & Savannah, Georgia \$26,550 (including expenses)
Consultant, LTD (Roy Jackson)

Highlights: Served on Savannah's City Council involving government at State and local level for over 25 years; member of the Georgia Municipal Association for eight years; member of the National League of Cities for eight years serving on several committees; leader of the Georgia Association of Black State University Conference; has worked extensively with the Chatham Legislative Delegation.

The Stevens Group Atlanta, Georgia \$30,000 (plus expenses)
Joyce C. Stevens &
John P. Stevens

Highlights: Joyce Stevens-Served 17 years as Vice President of a major lumber company; served as Executive Director of the Georgia Republican Party; a Republican nominee for the Public Service Commission; regional manager of governmental affairs for Brown & Ferris Industries. John P. Stevens-Served as a banking executive for First National Bank of Atlanta and with Wachovia Bank; current and appointee to various State boards and commissions; serves on the board of directors of several private firms.

EVALUATION/RECOMMENDATION

The staff and I independently rated each firm based on the RFP criteria. The sum of the ratings are listed below:

1.	James Burgess	145 Points
2.	Elaine C. Nachman and J. L. Morgan, III	110 Points
3.	Capitol Consulting (Amy Hughes and Lee Hughes)	102 Points
4.	Robert McAlister	88 Points
5.	SBL Management & Consultant, LTD. (Roy Jackson)	81 Points
6.	The Stevens Group (Joyce Stevens and John Stevens)	61 Points

In some cases a range of fees was proposed. For purposes of comparison, the higher full-time service for three months was used.

The proposals and resumes of each of the responders has been included in the attached booklet.

The recommendation of Jim Burgess was based on:

- The most experience as a legislative lobbyist.
- Most knowledgeable of issues facing municipal government.
- Knowledge or experience in working with the governor and legislative leadership.
- Practicing attorney with detailed knowledge of Georgia state and local governmental law

- Reasonable fee proposal in comparison to other RFPs.

Please review this report and the responses from each of the firms and let me know if you have any questions or comments.

Attachments

/yw

LIASELEC.121



CITY OF SAVANNAH - PURCHASING DEPARTMENT

P.O. Box 1027 • Bull & Bay Streets

Savannah, Georgia 31402

(912) 651-6425

December 16, 1996

**Request For Proposal
for Consultant to Provide
Professional Representation and Liaison with Georgia General Assembly
RFP No. 96.327-12-31**

Dear Proposer:

The City of Savannah is now accepting qualifications and proposals for a consultant to provide professional representation and act as a liaison with the Georgia General Assembly, Chatham legislative delegation and the executive departments and agencies of the State of Georgia.

Instructions for preparation and submission of a proposal are contained in this package.

Proposals are due in the Office of the Purchasing Administrator, 3rd floor, City Hall, 2 East Bay Street, Savannah, Georgia 31401 (P.O. Box 1027, 31402) no later than 1:30 p.m. on Tuesday, December 31, 1996. The names of the respondents will be read at the public bid opening shortly thereafter.

Thank you for your interest in doing business with the City of Savannah.

Sincerely,


*Margaret H. Joyner
Purchasing Administrator*

MHJ:els

SECTION I

INFORMATION & INSTRUCTIONS

- 1.0 Scope of Work:** Proposer shall provide professional representation and liaison with the Georgia General Assembly, Chatham legislative delegation and the executive departments and agencies of the State of Georgia. Services shall include but are not limited to the following:
- Explaining and promoting the City's legislative and work agenda to State elected officials and decision makers.
 - Attending legislative sessions, committee meetings and work groups.
 - Assisting in the preparation of annual legislative agenda for the City of Savannah.
 - Preparation and distribution of printed materials to explain and advocate the passage of issues of concern to Savannah.
 - Monitoring bills and submitting periodic reports to City of Savannah representatives.
 - Informing City representatives of pending legislation that will have positive or negative consequences for the City of Savannah.
 - Contacting state legislators concerning City legislative issues.
 - Maintaining close contact with City and legislative entities.
 - Assisting in the process of drafting bills and legislation.
- 1.1 Submission Requirements:** The complete original signed proposal and two copies with attachments must be submitted in a sealed package and received in accordance with the instructions detailed in the cover letter. All proposals shall be marked **RFP #96.327-12-31, Professional Representation and Liaison with Georgia General Assembly**. Proposers shall include all documents necessary to support their proposal. Proposers shall be responsible for the actual delivery of proposals during business hours to the address indicated in the cover letter. It shall not be sufficient to show that the proposal was mailed in time to be received before scheduled closing time.
- 1.2 Time Extension:** The City may for good and sufficient reason extend the response deadline, in which case all potential proposers will receive an addendum setting forth the new time and date.
- 1.3 Right of Rejection and Clarification:** The City of Savannah reserves the right to reject any and all proposals and to request clarification of information from any proposer. The City of Savannah is not obligated to enter into a contract on the basis of any proposal submitted in response to this document.
- 1.4 Request for Additional Information:** Prior to the final selection, proposers may be required to submit additional information which the City may deem necessary to further evaluate the proposer's qualifications.

- 1.5 **Denial of Reimbursement:** The City of Savannah will not reimburse proposers for any costs associated with the preparation and submittal of any proposal, or for any travel and per diem costs that are incurred in the preparation of proposals.
- 1.6 **Gratuity Prohibition:** Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City of Savannah for the purpose of influencing consideration of this proposal.
- 1.7 **Right of Negotiation:** The City of Savannah reserves the right to negotiate with the selected proposer the exact terms and conditions of the contract.
- 1.8 **Conflict of Interest:** Candidates must not represent other clients that would have interests in conflict with the City of Savannah's legislative agenda. The contractor covenants that they presently have no interest and shall not acquire any interest, directly or indirectly, which would conflict in any manner or degree with the performance of the services hereunder. The contractor further covenants that no person having any such known interest shall be employed or conveyed an interest, directly or indirectly, in the contract.
- 1.9 **Evaluation Criteria:** Proposals will be judged on the following criteria, at a minimum:
 - a) Experience in serving as a lobbyist.
 - b) Knowledge of state and federal laws and issues affecting municipalities and local government.
 - c) Ability to be present in Atlanta at the State Capital and other state offices, particularly during the legislative sessions of the Georgia General Assembly.
 - d) Experience in dealing with Chatham area legislators.
 - e) Experience in working with Governor, Lieutenant Governor and other state executive officials.
 - f) Experience working with other interest groups and lobbyists
 - g) Fee Proposal
- 1.10 **Submittals:** Proposers shall provide on an attachment, necessary information in accordance with evaluation criteria. Fee proposals shall be listed on an attachment and include detail. The City prefers a flat fee per year, including expenses but will consider alternative fee proposals. Proposals shall note whether travel and per diem are included and note any anticipated extraneous costs.
- 1.11 **Contract Term:** This shall be an annual contract renewable for up to three years subject to annual approval.
- 1.12 **Contract Termination:** The City of Savannah may cancel the contract at any time for breach of contractual obligations by providing the contractor with a written notice of such cancellation. Should the City of Savannah exercise its right to cancel the contract for such reasons, the cancellation shall become effective on the date as specified in the notice of cancellation sent to the contractor.

The City of Savannah reserves the right to terminate the contract for the convenience of the City without penalty or recourse by giving the contractor a written notice of such termination at least 30 days prior to termination.

- 1.13 **Indemnification:** Successful offerer shall defend, indemnify and save harmless the City of Savannah and all its officers, agents employees from all suits, actions or other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons, or property on account of any negligent act or fault of the successful offerer, or of any agent, employee, subcontractor or supplier in the execution of, or performance under, any contract which may result from proposal award. Successful offerer shall pay any judgement with cost which may be obtained against the City of Savannah growing out of such injury or damages.
- 1.14 The City of Savannah reserves the right to reject any and all proposals and to waive any informalities in the solicitation.
- 1.15 In connection with the furnishing of supplies of performance of work under the contract, the contractor agrees to comply with the Fair Labor Standard Act, Equal Opportunity Employment Act, and all other applicable Federal and State laws, regulations, and executive orders to the extent that the same may be applicable.
- 1.16 Proposals will not be accepted from any firm, person or party, parent or subsidiary for which the City has an outstanding claim against, or a financial dispute relating to contract performance with the City.
- 1.17 The contractor represents itself to be an independent contractor offering such services to the general public and shall not represent himself or his employees to be an employee of the City of Savannah. Therefore, the contractor shall assume all legal and financial responsibility for taxes, FICA, employee fringe benefits, workers compensation, employee insurance, minimum wage requirements, overtime, etc., and agrees to indemnify, save, and hold the City of Savannah, its officers, agents, and employees, harmless from and against, any and all loss; cost (including attorney fees); and damage of any kind related to such matters. The contractor shall further understand that the City of Savannah cannot save and hold-harmless and or indemnify the contractor and/or the contractor's employees against any liability incurred or arising as a result of any activity of the contractor or any activity of the contractor's employees performed in connection with the contract.
- 1.18 **Confidentiality:** Information disclosed by the City of Savannah to successful offerer for the purpose of the work to be done, or information that comes to the attention of the successful offerer during the course of performing such work, is to be kept strictly confidential.
- 1.19 **Assignment:** The successful offerer shall not sell, assign, transfer or convey any contract resulting from this RFP, in whole or in part, without the prior written consent of the City of Savannah.

1.20 Contract: The contract between the City of Savannah and the contractor shall consist of (1) the Request for Proposal (RFP) and any amendments thereto, and (2) the proposal submitted by the contractor in response to the RFP. In the event of a conflict in language between the two documents referenced above, the provisions and requirements set forth and/or referenced in the RFP shall govern. However, the City of Savannah reserves the right to clarify any contractual relationship in writing with the concurrence of the contractor, and such written clarification shall govern in case of conflict with the applicable requirements stated in the RFP or the contractor's proposal. In all other matters not affected by the written clarification, if any, the RFP shall govern. The contractor is cautioned that his proposal shall be subject to acceptance by the City of Savannah without further clarification.

PROPOSAL FORM

I have read and understand the requirements of this request for qualifications and proposal RFP #96.327-12-31 and agree to provide the required services in accordance with this proposal and all attachments, exhibits, etc.

SUBMITTED BY:

FIRM: _____

BY: _____
SIGNATURE

NAME (PRINT): _____

ADDRESS: _____

CITY/STATE: _____ **ZIP** _____

TELEPHONE: (_____) _____
AREA CODE

SAVANNAH LOBBYING ACTIVITIES
By Jim Burgess Since 1997

1997

Funding request were made for restoration of Lucas Theater, Charity Hospital and the Old YMCA on MLK Boulevard, and the Chatham-Effingham-Liberty Regional Library. Funding of \$35,000 was provided for Lucas Theater and \$400,000 for the regional library project.

In terms of indirect funding the City did well in the 97 Supplemental Budget and in the 98 Budget, having received over \$3.5 million, not counting the \$27.7 million approved for the Georgia Ports Authority projects.

Legislation of direct impact included such measures as reduction of the ground water permit amount from 100,000 gallons per day to 50,000 gpd to improve monitoring of ground water usage and to protect the Florida Aquifer for the City and the 24 county use area; and annexation of Hutchinson Island. The economic significance of this annexation legislation alone is substantial.

There were a number of other legislative issues affecting the City that carried over to 1998. Examples include additional funding for and membership on the Trade Center Authority, and the Municipal Recorder's Court.

1998

The following funding requests were approved:

West Broad Street YMCA Restoration	\$400,000
Restoration of Carnegie Library	25,000
Other supplemental appropriations for projects such as Roof replacement of King Tisdell/Beach Institute, Chatham- Savannah Youth Services Corp, Old Charity Hospital, etc.	\$200,000

A negotiated package of annexations involving the City of Savannah and Garden City were passed. A number of bills of negative impact on the City were defeated. Examples included sludge incineration, supervision of Recorder's Court personnel, legislation to prohibit cities from providing and regulating any service that is also provided by the private sector, and prohibition on the use of eminent domain powers outside the City.

1999

The following funding requests were approved:

Carnegie Library	\$500,000
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Roundhouse Visitor's Center	100,000
Lucas Theater	50,000
WW Law Community Center	10,000
Savannah Midtown Community Center	10,000
Archive and Library for Ralph Mark Gilbert	5,000
Firing Range for Armstrong State University	25,000
Purchase of building for Cultural Affairs	10,000
Operation of Project Success	25,000
Retire debt on EOA Austin House Center	25,000
Various projects of indirect benefit such as Tybee Lighthouse Restoration, operation of Bamboo Farm and Coastal Gardens, etc.	165,000

Legislation of direct impact: Property tax relief was the single most critical legislation affecting Savannah in the 1999 session. This legislation as initially drawn would have provided for a property tax freeze in the City similar to that found in Columbus, Georgia. After extensive lobbying a compromise was developed in the Chatham delegation that local property tax relief should be tied to the annual percentage increase of any increase in the Consumer Price Index (CPI). This compromise as finally approved amounts to \$2 to \$3 million in benefit to the City annually.

2000

The following funding requests were approved for tourism projects:

State Railroad Museum	\$1,500,000
Battlefield Park Heritage Museum	1,000,000
Parking Garage at Civic Center	500,000
Visitor Information Center	285,000
MLK Jr. Blvd Revitalization Plan	300,000
Property purchase at convention and Trade Ctr.	3,300,000
Sound stage at Armory	50,000
Rehab of Trolleys on River Street	370,000
Eighth Air Force Museum	350,000
Civil Rights Museum	600,000
Carnegie Library	<u>400,000</u>
Total	\$8,955,000

Other indirect funding consisted of \$215,000 for various projects such as improvements in the Cultural Affairs Commission Building, green space park for the Liberty City community, and an economic development study for Savannah.

Legislation of direct impact. Legislation to allow vertical expansion of the City Landfill, thus extending the life of the current site and avoiding the siting of a new landfill,

resulting in a cost saving to the City of millions of dollars. Removal of the 50-acre size limit of the annexation of islands.

2001

The following appropriations were approved as part of the FY 02 State Budget:

Savannah Impact Program

Contract with Chatham Savannah Youth Services Corps	\$ 20,000
Corrections	257,295
Juvenile Justice	72,688
Labor	39,939
Pardons and Paroles	<u>119,817</u>
	\$509,739

The Senate approved \$173,000 as additional funding for youth intervention in the Savannah Impact Project. Regrettably, this was taken out by the House-Senate Joint Conference Committee.

Funding – Indirect

Cuyler-Brownsville Redevelopment Project	\$500,000
Savannah Association for the Blind, Inc.	32,000
Study of point source discharges to Savannah Harbor	250,000
Housing Residence at Savannah State University	1,000,000

The following are various local assistance grants approved as part of the budget of the Department of Community Affairs. The DFACS appropriation (which the City had pursued for the past three (3) years) was included in the City's 2001 Legislative Program.

Funds to relocate Chatham Co. DFACS Offices	\$541,000
Life Skills Community Program in Savannah	4,000
Multi-use neighborhood park in Chatham County	10,000
Greenbriar Children's Center in Savannah	50,000
Display project for Steamship Savannah	10,000
Operating expenses at A.E. Beach High School	25,000
Operational expenses at MedBank	5,000
Equipment for Testing at Savannah Speech & Hearing	11,475
Emission Test for Chatham County Equipment	12,000
Parent Resource Center at Lutheran Ministries	10,000
Firing Range at AASU Law Enforcement Training Center	25,000
Building renovation for Ash Tree Organization, Inc.	40,000
Funds for Communities in Schools	25,000

Other direct legislation included passage of legislation to exempt film equipment from the sales tax, protection of coastal marshlands, limiting the annexation of unincorporated islands, compensation of property owners where there is an interference with access to property.

2002

Funding - \$8.5 million was requested for the purchase and development of Battlefield Park and the rail track on River Street. After intense lobbying, the leadership advised that it would not carry this load; however, Rep Anne Mueller got \$25,000 for a feasibility study for the park project.

Legislation of Direct impact - Constitutional amendments to freeze residential property and to allow owners of real property in the industrial district to remove such property. (fortunately these measures failed.) A number of homestead exemption bills were defeated. Legislation to allow additional water withdrawal for Bloomingdale was defeated.

Probably the major issue facing the City was the repeal of sovereign immunity. Extensive negotiations were held with Rep. Bordeaux on this issue with a final compromise that allowed a phase-in of liability limits.

Extensive lobbying resulted in the passage of proposals to annex Bonaventure and Greenwich Cemeteries and Sweetwater and Bradley Plantations. (This was major annexation legislation for the City.)

Indirect impact legislation included ad requirements for public works posted on the Georgia Procurement Registry (could have been very costly had it passed); extension of the date relative to drilling wells for injecting surface water into the Floridian Aquifer; and legislation to require railroads to pick up the cost of maintaining railroad crossings; the Hazardous Sites Remediation Act Fund was amended to raise fees on solid waste disposal and to authorize tax incentives for remediation of brown fields. Annexation bills for Bloomingdale and Port Wentworth that were detrimental to the City of Savannah failed to pass.

2003

Direct funding - \$550,000 local assistance grant to the City for a training program;
Indirect funding - \$3 million for rail track construction in Savannah.

Legislation of direct impact was a bill dealing with inters/intra basin transfer and water permit trading. Public trading of water permits would have contravened the City's Long-range water management and conservation plans and jeopardized its investment in its surface water treatment facilities. (The bill was held in committee.) Major effort was made to pass legislation to annex International Paper property.

A second major issue was the Georgia Flag vote. The provision for a second referendum was defeated and the bill passed both houses.

Legislation was passed to correct the City's deferred compensation payments, as well as legislation on soil erosion and sedimentation.

2004

A funding request of \$6 million was approved for the Museum and Battlefield Park project

Legislation of direct impact: HB 237, the state water planning legislation. (passed and adopted) Worked with GMA in lobbying for legislation to allow cities to share in the proceeds of SPLOST taxes.

City utility franchise taxes credited against unincorporated county service delivery costs; 10 % limit on city utility rates in unincorporated areas; referendum for consolidating of sheriff and city law enforcement services; legislation to allow private water companies to invade city water service delivery areas; call before you dig legislation that would have cost city \$250,000 annually; inter basin transfer legislation (These proposals were either defeated or referred to study committees.)

Legislation of indirect impact: Phasing out of excise taxes on rental cars. Would have cost city money. (bill was defeated) A bill to establish a performance review board to insure proper expenditure of hotel motel tax funds for tourism and conventions was adopted.

2005

Funding - \$30,000 budget request was approved for the City of Savannah Battlefield Park youth facility. Legislation was passed to provide income tax credits for entertainment industry production investments. Legislation to authorize the Recorder's Court of Chatham County to impose and collect a technology fee on the imposition of criminal fines. Lobbied against legislation to change minimum standards for municipal incorporation that would have facilitated the incorporation of communities in unincorporated areas surrounding Savannah. Lobbied in support of revisions to the Georgia Utility Facility Protection Act. Worked in support of legislation to move the sunset date back on the Subsequent Injury Trust Fund which could have cost Savannah more than \$1 million.

2006

Funding – worked with the delegation in support of an appropriation of \$8 million in the FY 07 Budget for the Riverwalk extension. Legislation was passed to allow the City to hold a special referendum election to obtain voter approval of Tax Allocation Districts. Other issues of negative impact on the City, had they passed, included property tax caps,

inverse condemnation, county veto of municipal annexations, creation of private infrastructure districts, and prohibitions on municipal water connections and availability charges. All of these measures were defeated.

2007

Sought legislation to resolve the statutory preemption concerning city inspection of rental property without probable cause. Other issues included cameras in school zones, red light camera enforcement, housing tax incentives, and statewide video franchises, deannexation of municipal property, and public works bidding, county veto of municipal annexations, infrastructure development districts and school zone speeding cameras. None of these proposals passed.

2008

The dominant issue of the 2008 session was tax reform, as proposed by House Speaker Glenn Richardson and labeled as the "Great Plan." The proposal would have replaced local property taxes with a sales tax on goods and services. The proposal was ultimately defeated. Lobbied against a proposal that would have prohibited the City from charging franchise fees unless approved by referendum. Lobbied to defeat legislation to allow guns in public places, red light camera enforcement and intrusive billboard legislation.

2009

The 2009 legislative session is probably best characterized as the "assault against cities" legislature. Lobbying efforts were directed toward defeating property tax assessment caps, homestead exemptions, eliminating the ad valorem tax on motor vehicles, repeal of red light cameras, cell tower siting restrictions, and deannexation. On a positive note, homeowners tax relief grants were continued due to a commitment made during the Barnes administration. The Stephens-Day floating homestead exemption was continued despite a temporary freeze on assessment increases. Limited metals theft legislation was adopted.

2010

The principal City issue in the 2010 session was legislation to authorize the annexation of Southbridge to Garden City (HB 1495). The bill passed the House but failed to pass the Senate. Another major issue concerned the competing interests of Garden City and the City of Savannah in the industrial areas of Chatham County. The issue was resolved to allow owners of property in the industrial areas to opt-out and be annexed by the city that provides them with water and/or fire services. Issues of negative impact on the City were continued from the 2009 session. These included property tax assessment caps, repeal of motor vehicle ad valorem taxes, changing franchise fees to a tax, and repeal of red light cameras.

2011

Principal issues in the 2011 session included LNG trucking in the City, making Savannah the first cruise ship port in Georgia, tax reform and open meetings and open records. Property assessment caps, property assessment freezes, motor vehicle title fees, and red light cameras continued to dominate the City's lobbying agenda. Immigration reform legislation passed. The bill to repeal red light cameras was defeated. Proposals relating to open meetings and open records, property tax caps, property assessment freezes, and motor vehicle title fees were carried over to the 2012 session.

2012

The principal issue in the 2012 session was tax reform with passage of HB 386. Fiscal impact on the City included the phase-out of sales tax on energy used in manufacturing, and taxation of motor vehicles, collection of sales tax on internet sales, and the sales tax exemption on film production activities. Legislative proposals on open meetings and open records, stronger controls on metal theft, vacant property registry, and energy savings performance contracts were adopted. Defeated legislative proposals included real property assessment caps, property tax assessment freeze, municipal broadband preemption, preemption of city regulation of chickens, etc, preemption of pawnbroker transactions, and sales tax for the arts.

CITY OF SAVANNAH
AGREEMENT FOR
PROFESSIONAL REPRESENTATION AND LIAISON WITH THE GEORGIA
GENERAL ASSEMBLY

This Agreement made and entered into this 5th day of July, 2012, between the **City of Savannah**, a municipal corporation and an instrumentality of the State of Georgia ("**CITY**") and **James V. Burgess, Jr., PC ("JVB")**;

WITNESSETH:

WHEREAS, the **CITY** desires to engage a consultant to provide professional representation and to serve as the **CITY'S** legislative liaison with the Georgia General Assembly, Chatham County legislative delegation and the executive departments and agencies of the State of Georgia; and

WHEREAS, **JVB** is an attorney engaged in a legislative and governmental affairs practice and has provided such professional services to the **CITY** as an independent contractor; and

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants and agreements hereinafter set forth, it is agreed by and between the **CITY** and **JVB** as follows:

Section 1. Term. The term of this contract shall be for a period of two years, commencing on January 1, 2013.

Section 2. Services. In providing the services pursuant to this Agreement, **JVB** shall work at the request of, and shall report to the City Manager, and other city officials and staff as directed, in providing professional representation and liaison with the Georgia General Assembly, Chatham legislative delegation, and the executive departments and agencies of the State of Georgia. Services shall include but are not limited to the following:

- Assisting in preparation of the **CITY'S** annual legislative agenda.
- Explaining and promoting the **CITY'S** legislative and work agenda to State elected officials and decision makers.
- Attending legislative sessions, committee meetings and work groups.
- Preparing and distributing printed materials to explain legislative matters of concern to the **CITY**.
- Monitoring bills and submitting periodic reports to the **CITY**.
- Informing **CITY** representatives of pending legislation that will have positive or negative consequences for the **CITY**.
- Contacting state legislators concerning **CITY** legislative issues.
- Maintaining close contact with **CITY** and legislative entities.

- Assisting in the process of drafting bills and legislation.
- Attending meetings of the Chatham legislative delegation and providing technical advice and counsel to its members.
- Attending legislative functions where the CITY'S interests need to be covered.
- Other services as necessary for professional representation of the CITY at the State level.

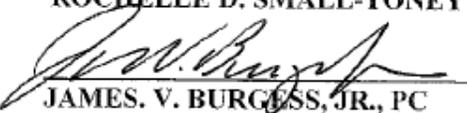
Section 3. Conflicts. JVB hereby agrees that he will not at any time during the term of this Agreement advocate the passage of legislation which is adverse to the interests of the CITY nor oppose legislation which is favorable to the interests of the CITY.

Section 4. Compensation. As compensation for the services provided to the CITY by JVB, the CITY hereby agrees to pay JVB the total sum of \$50,264.00 for the first year of the biennial session (2013) and \$51,771.92 for the second year of the biennial session (2014). Such amounts shall be paid in two (2) equal installments, the first of which shall be due and payable on January 31 of each year of the biennial legislative session and the second of which shall be due and payable on April 1 of each year of the biennial legislative session. The CITY shall reimburse JVB for any actual and reasonable out-of-pocket expenses incurred in the performance of this Agreement.

Section 5. Tax Reporting. The CITY shall file with the Internal Revenue Service a Form 1099-MISC which shall report the amount of compensation paid by the CITY to JVB for services rendered hereunder. JVB shall be responsible for filing any and all other required state or federal income and self-employment tax returns with respect to the compensation paid to JVB under this Agreement.

Section 6. Termination. The parties hereto may terminate this Agreement upon giving 60 days' written notice. The CITY shall be responsible for and shall pay all unpaid fees and expenses incurred by JVB up to and including the date of termination of this Agreement.

CITY OF SAVANNAH, GEORGIA

By: _____
ROCHELLE D. SMALL-TONEY

JAMES. V. BURGESS, JR., PC